

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON LOCAL GOVERNMENT

**Call to Order:** Chair Gary MacLaren, on March 15, 2011 at 3:00 PM, in Room 172  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Michael (Mike) More, Vice Chair (R)  
Rep. Michele Reinhart, Vice Chair (D)  
Rep. Dick Barrett (D)  
Rep. Bryce Bennett (D)  
Rep. Pat Ingraham (R)  
Rep. James Knox (R)  
Rep. Steve Lavin (R)  
Rep. Sue Malek (D)  
Rep. Mary McNally (D)  
Rep. Jerry O'Neil (R)  
Rep. Matthew M. Rosendale Sr (R)  
Rep. Derek Skees (R)  
Rep. Wayne Stahl (R)  
Rep. Gordon Vance (R)

**Members Excused:** Rep. Gary MacLaren, Chair (R)  
Rep. Liz Bangerter (R)  
Rep. Tom Berry (R)  
Rep. Edward Greef (R)  
Rep. Kris Hansen (R)  
Rep. Kathy Swanson (D)

**Members Absent:** None

**Staff Present:** Helen Thigpen, Legislative Services Division  
Marissa Stockton, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 91, 3/8/2011; SB 180, 3/8/2011; SB 183, 3/8/2011; SB 191,  
3/8/2011

00:00:01 Rep. More

**HEARING ON SB 91**

**Opening Statement by Sponsor:**

00:00:23 Sen. Taylor Brown (R), SD 22, opened the hearing on SB 91, Update postal service requirements for proposed cities and towns.

00:02:19 Rep. Bangerter arrived.

**Proponents' Testimony:**

00:04:38 Rep. More  
00:04:50 Rep. McNiven, HD 44  
00:06:03 Rep. Hansen arrived.  
00:07:21 Rep. More  
00:07:26 Alec Hansen, Montana League of Cities and Towns  
00:10:01 Rep. More  
00:10:09 Bob Riehl, Lockwood Steering Committee  
00:11:05 Carlotta Hecker, Lockwood Steering Committee  
00:11:30 Rep. More  
00:11:35 Don Reed, Lockwood Steering Committee  
00:14:29 Rep. More  
00:14:34 Dave Galt, Montana Petroleum Association (MPA)  
00:15:20 Tom Ebezery, Exxon Mobil  
00:16:35 Rep. More

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:16:56 Rep. Reinhart  
00:17:12 Sen. Brown  
00:18:01 Rep. More

**Closing by Sponsor:**

00:18:06 Sen. Brown  
  
00:18:46 Rep. Ingraham left.  
00:18:52 Rep. More

**HEARING ON SB 180**

**Opening Statement by Sponsor:**

00:19:09 Sen. Jon Sonju (R), SD 4, opened the hearing on SB 180, Substitute term criminal mischief damage for damage to rental property.

**Proponents' Testimony:**

00:19:33 Rep. More  
00:19:36 John Sinrud, Montana Landlords Association  
00:20:26 Rep. More  
00:20:34 William Staffeldt, Montana Landlords Association  
00:23:10 Rick Linafelter, Great Falls Landlords Association  
00:23:40 Rep. More

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:24:03 Rep. Bennett  
00:24:27 John Sinrud  
00:25:26 Rep. Bennett  
00:25:40 John Sinrud  
00:26:04 Rep. Knox  
00:26:31 John Sinrud  
00:27:13 Rep. Knox  
00:27:31 John Sinrud  
00:28:34 Rep. Hansen  
00:28:53 John Sinrud  
00:29:16 Rep. More  
00:29:42 Chairman Maclaren arrived.  
00:29:44 John Sinrud  
00:30:05 Rep. More

**Closing by Sponsor:**

00:30:23 Rep. Sonju  
00:30:26 Rep. More

**HEARING ON SB 191**

**Opening Statement by Sponsor:**

00:31:15 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 191, Require septic system disclosure on property sale.

**Proponents' Testimony:**

00:34:38 Rep. More  
00:34:45 Tracy Lakatua  
00:38:13 Rep. More

00:38:19 Brianna Randall, Clark Fork Coalition (CFC)

[EXHIBIT\(loh58a01\)](#)

[EXHIBIT\(loh58a02\)](#)

00:41:05 Rep. More

00:41:14 Steve Kilbreah, Department of Environmental Quality (DEQ)

00:44:06 Linda Stoll, Montana Public Health Officials

00:44:22 Jill Alban

00:47:09 Tara DePuy, Montana Association of Counties (MACo)

00:47:55 Rep. More

**Opponents' Testimony:**

00:48:08 Dustin Stewart, Montana Building Industry Association (MBIA)

00:51:49 Rep. More

00:51:54 Glenn Oppel, Montana Association of Realtors

00:56:02 Rep. More

00:56:14 Clayton Fiscus

00:58:55 Rep. More

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:59:09 Rep. Skees

00:59:46 Rep. Bennett left.

00:59:59 Sen. Erickson

01:00:07 Rep. Skees

01:00:26 Sen. Erickson

01:01:29 Rep. More

01:01:30 Rep. Knox

01:01:52 Tracy Lakatua

01:01:57 Rep. Knox

01:02:05 Tracy Lakatua

01:02:18 Rep. Knox

01:02:48 Glenn Oppel

01:03:16 Rep. Knox

01:03:29 Glenn Oppel

01:03:58 Rep. Knox

01:04:12 Glenn Oppel

01:04:20 Rep. Knox

01:04:29 Glenn Oppel

01:04:35 Rep. Malek

01:05:09 Glenn Oppel

01:05:26 Rep. Malek

01:06:01 Glenn Oppel

01:07:05 Rep. Malek

01:07:23 Glenn Oppel

01:07:53 Rep. Reinhart

01:08:23 Glenn Oppel

01:08:33 Rep. Reinhart

01:08:37 Glenn Oppel

01:09:05 Rep. Reinhart  
 01:09:34 Glenn Oppel  
 01:10:28 Rep. More  
 01:10:30 Rep. Reinhart  
 01:10:44 Glenn Oppel  
 01:11:30 Rep. Reinhart  
 01:11:48 Brianna Randall  
 01:13:08 Rep. More  
 01:13:13 Rep. McNally  
 01:13:49 Glenn Oppel  
 01:13:53 Rep. Bennett returned.  
 01:14:43 Rep. McNally  
 01:14:48 Glenn Oppel  
 01:14:55 Rep. McNally  
 01:15:01 Rep. More

**Closing by Sponsor:**

01:15:09 Sen. Erickson  
 01:16:54 Rep. More  
 01:17:26 Chairman Maclaren

**HEARING ON SB 183**

**Opening Statement by Sponsor:**

01:17:33 Sen. Taylor Brown (R), SD 22, opened the hearing on SB 183, Revise interim zoning laws.

**Proponents' Testimony:**

01:23:26 Chairman MacLaren  
 01:23:33 John Ostlund, Montana Association of County Commissioners  
 01:24:46 Chairman MacLaren  
 01:25:01 Tara DePuy, MACo  
 01:25:59 Gordon Morris, Lewis and Clark County Commissioners  
 01:26:18 Dustin Stewart, MBIA  
 01:26:35 Cary Hegreberg, Montana Contractors Association  
 01:29:08 Glenn Oppel, Montana Association of Realtors  
 01:29:27 John Youngburg, Montana Farm Bureau (MFBF)  
 01:30:06 Jackie Flickena, Knife River  
 01:30:57 Chairman MacLaren

**Opponents' Testimony:**

01:31:14 Jean Riley, Citizen  
 01:34:33 Chairman MacLaren  
 01:34:40 Ann Hedges, Montana Environmental Center

01:39:59 Chairman MacLaren  
01:40:03 Linda Stoll, Missoula County and Montana Association of Planners (MAP)  
01:46:20 Chairman MacLaren  
01:46:24 Kaci Perkins, Montana Audubon Society  
01:48:24 Chairman MacLaren

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:48:44 Rep. Knox  
01:49:23 John Ostlund  
01:52:56 Rep. Knox  
01:53:17 Linda Stoll  
01:53:21 Rep. Knox  
01:53:29 Chairman MacLaren  
01:53:37 Rep. Knox  
01:54:09 Chairman MacLaren  
01:54:11 Linda Stoll  
01:54:44 Chairman MacLaren  
01:54:46 Rep. Hansen  
01:55:25 Sen. Brown  
01:56:29 Rep. Hansen  
01:56:52 Tara DePuy  
01:57:02 Rep. Hansen  
01:57:20 Tara DePuy  
01:58:10 Rep. Hansen  
01:58:19 Tara DePuy  
01:58:27 Rep. Barrett  
01:59:29 Ann Hedges  
02:00:26 Rep. Barrett  
02:00:59 Linda Stoll  
02:01:06 Rep. Reinhart  
02:01:31 Ann Hedges  
02:02:12 Rep. Reinhart  
02:02:34 Tara DePuy  
02:03:07 Rep. Reinhart  
02:03:26 Tara DePuy  
02:04:14 Rep. Reinhart  
02:04:31 Tara DePuy  
02:04:45 Rep. Knox left.  
02:04:56 Rep. Reinhart  
02:05:19 Tara DePuy  
02:06:06 Rep. Reinhart  
02:06:23 Tara DePuy  
02:06:27 Rep. O'Neil  
02:07:01 John Ostlund  
02:07:41 Rep. Malek  
02:08:08 Tara DePuy  
02:08:56 Rep. Malek

02:09:29 Rep. Knox returned.  
02:09:37 Rep. Reinhart left.  
02:09:50 Tara DePuy  
02:10:51 Rep. Malek  
02:11:50 Tara DePuy  
02:12:25 Rep. McNally  
02:13:35 Sen. Brown  
02:14:14 Rep. Reinhart returned.  
02:14:38 Rep. McNally  
02:15:15 Sen. Brown  
02:16:00 Rep. McNally  
02:16:27 Sen. Brown  
02:16:49 Rep. Hansen  
02:19:02 Sen. Brown  
02:19:22 Rep. Hansen  
02:19:36 Sen. Brown  
02:19:56 Rep. Hansen  
02:20:02 Sen. Brown  
02:20:15 Chairman MacLaren  
02:20:38 Cary Hegreberg  
02:21:09 Chairman MacLaren  
02:21:11 Cary Hegreberg  
02:21:58 Chairman MacLaren  
02:22:06 Cary Hegreberg  
02:23:12 Chairman MacLaren  
02:23:18 Rep. Barrett  
02:25:06 Linda Stoll  
02:25:58 Tara DePuy  
02:26:12 Rep. Barrett  
02:27:15 Tara DePuy

**Closing by Sponsor:**

02:27:52 Sen. Brown  
02:37:15 Chairman MacLaren

**ADJOURNMENT**

Adjournment: 02:37:33

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Phoebe Williams, Secretary

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Additional Documents:

**EXHIBIT([loh58aad.pdf](#))**